

AO 91 (Rev. 11/11) Criminal Complaint



UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

MAR - 2 2020

David J. Bradley, Clerk of Court

United States of America

v.

Case No.

Md Azad,
a/k/a Mohammad Azad,
a/k/a Mohammed Azad

H20-0432M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2019 to present in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 1349
18 USC 1341
18 USC 2314Conspiracy
Mail Fraud
Interstate Transportation of Stolen Property

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Special Agent Mary Beth Wright

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/02/2020

Judge's signature

City and state: Houston, TX

Frances Stacy, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT

I, Mary Beth Wright, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state:

INTRODUCTION AND BACKGROUND

1. I have been employed as a Special Agent with the FBI since September of 2008. I have received extensive training in the investigation of violations of federal and state law. I am currently assigned to the FBI Texas City Resident Agency (TCRA). I have participated in and have initiated numerous federal investigations which have resulted in the arrest and conviction of individuals who have violated federal laws. I have testified in federal judicial proceedings for violations of federal laws. I have been involved in various types of federal investigations, in the application for and execution of numerous federal search and arrest warrants, and in the debriefing of suspects, defendants, witnesses, and informants, as well as others who have knowledge of the violation of federal laws.

BACKGROUND AND EVIDENCE OF FRAUD

2. On February 11, 2020, TCRA received information from Fort Bend County Sheriff's Office (FBSO) regarding an elder technical support fraud scheme involving the mailing of cash to Federal Express (FedEx) locations in the Southern District of Texas. In general, a technical support scheme occurs when fraudsters trick victims,

often elderly, into giving them remote access to the victims' computers and bank accounts under the guise of providing tech support. One version of this scheme involves victims later being told that they erroneously received an overpayment on a refund and that they need to mail the money back in the form of cash or prepaid gift cards.

3. As part of this investigation, I reviewed a police report filed by victim AG with Indiana State Police. AG reported she was contacted by phone and instructed to mail \$10,000 cash via FedEx to "Victor Aubert" in Houston, TX because someone doing computer work for her had inadvertently put \$10,000 into AG's bank account and she needed to return it. Believing the caller, on February 5, 2020, victim AG mailed \$10,000 in cash via FedEx from Evansville, IN to "Victor Aubert" at a FedEx store in Houston, TX. FSBO spoke with FedEx Corporate Security, who advised that on February 6, 2020, the package was picked up by an individual who presented identification as "Victor Aubert." I later determined that Aubert was Sumit Kumar Singh by surveillance to the Urban Palms apartment complex where I was able to inspect an apartment lease document executed by MD AZAD a/k/a MOHAMMAD AZAD a/k/a MOHAMMED AZAD and Himanshu Kumar and copies of AZAD's and Kumar's Indian passports. The apartment, located at 8701 Town Park Drive, Unit # 2163, Houston, TX had been leased by AZAD and Kumar.

4. FedEx reported that Aubert (Singh) had received several packages in the Houston area since December of 2019. I reviewed the FedEx surveillance video of the individual picking up the package on February 6, 2020, and identified him to be Singh.

5. I contacted Wes Watson (Watson) with FedEx Corporate Security and obtained a list of shipments sent to Aubert (Singh) in the past two months. FedEx showed that Aubert (Singh) was listed as the recipient of 16 packages sent to Houston, TX-area FedEx stores in January and February of 2020. FedEx sent out an internal alert to its employees to be vigilant about packages being picked up by Aubert or an individual matching Aubert's description. Through the internal alert, FedEx identified an additional alias being used by Aubert of "Steve Bernard." FedEx showed that Bernard was listed as the recipient of five packages sent to Houston, TX-area FedEx stores in February 2020.

6. I spoke to another victim, AE, who told me that on January 17, 2020, she mailed \$20,000 in cash via FedEx from Grand Prairie, TX to "Victor Aubert" (Singh) at a FedEx store in Houston, TX. AE reported that she had been defrauded to local police and the FBI. AE says she gave her debit card number and remote access to her computer after she got a new laptop. The tech company later told her she was getting a partial refund and then told her they had inadvertently overpaid her and that she needed to return the money via FedEx. I reviewed FedEx

surveillance video of the individual picking up the package from AE on January 18, 2020, and identified him to be Singh.

7. Watson also told me about being alerted by law enforcement to another victim, DH. On January 23, 2020, DH sent money to a Houston, TX FedEx store to “Miguel Carballo.” I reviewed the FedEx surveillance video of the individual picking up DH’s package on January 24, 2020, and identified him to be Kumar. Watson queried FedEx’s system and identified “Miguel Carballo” and “Charles Pedro” as the recipient of multiple packages at Houston FedEx locations. Watson noted that Carballo and Aubert/Bernard received packages at the same location on the same day. Watson reviewed surveillance of the various package pickups and saw that “Carballo” and “Pedro” were the same individual and Aubert and Bernard were the same individual.

8. On February 22, 2020, I observed Kumar enter the FedEx location 10904 Memorial Hermann Dr., #103, Pearland, TX. Kumar presented identification as “Charles Pedro,” picked up a package, and left by vehicle. FBI employees followed the vehicle and observed Kumar and Singh exit the vehicle at the Urban Palms apartment complex located at 8701 Town Park Drive, Houston, TX. Later that day, FBI employees observed Kumar depart the apartment complex and to into a UPS store in Houston, TX. I contacted the UPS store owner and obtained the surveillance video of Kumar where I observed that he picked up three packages. The UPS store

owner told me that Kumar had used a Capital One debit card to make a purchase that day. I contacted Capital One and learned that the card was associated with an account in the name of Himanshu Kumar.

9. The FBI also interviewed victim AD. AD said that on February 21, 2020, he mailed \$20,000 cash from California to “Charles Pedro” at a UPS store in Sugarland, TX. AD said he mailed the money because he was told he needed to return an overpayment related to his “V-Tech Solutions” on his computer. AD determined he had been defrauded and unsuccessfully tried to intercept the package before it was picked up. On February 22, 2020, an individual providing identification in the name of “Charles Pedro” picked up the package at the UPS store in Sugarland. Based on the video I have observed from FedEx of Kumar portraying himself as “Charles Pedro” and the identification Kumar presented at FedEx in the name of “Charles Pedro,” it is reasonable to believe the individual posing as Pedro at UPS in Sugarland was Kumar.

10. On February 25, 2020, Watson intercepted a package from GP in Center Valley, PA addressed to “Charles Pedro” in Houston, TX. Watson, under his authority and guidelines with FedEx, opened the package and observed and photographed \$20,000 in cash that was packaged within foil and paper. The same day, Kumar came into the FedEx store to pick up the package. Watson photographed Kumar’s identification, which was in the name of “Charles Pedro,” but did not turn

over the package to him. Watson instead provided FBI agents with the cash, which was placed into evidence. Since then, GP has been calling Watson to ask why the package was not delivered because she is receiving calls that if she does not send the money, the caller will “buy weapons using your identity.”

11. On February 26, 2020, Watson intercepted a package mailed via FedEx from JA in Michigan to “Charles Pedro” in Houston, TX. Watson opened the package, and documented the contents to be \$15,000 in cash, packaged within foil and paper. Watson repackaged the contents. At 10:30 a.m. that day, I observed Kumar depart the Urban Palms apartments by vehicle. At or about 11:30 a.m., Kumar arrived at the FedEx store carrying another package he appeared to have picked up elsewhere, and retrieved JA’s package. At approximately 11:50 a.m., I observed Kumar return with a box and enter apartment 2163. I contacted the apartment manager who provided the leasing documentation, which showed AZAD and Kumar had leased apartment 2163 on February 7, 2020. The manager provided a copy of AZAD’s Indian passport #N4558803 and Kumar’s Indian passport #P9973408. I observed that Kumar was the same individual who used the identity of Charles Pedro and Miguel Caraballo.

12. The apartment manager also stated it was AZAD who paid the move-in fee to lease apartment 2163 and that he paid with a cashier’s check for \$650 drawn on Chase bank. AZAD wrote on the lease agreement that his father, “Md Hashib,” was

his employment supervisor. When the manager asked for proof of employment, AZAD provided a bank account statement showing a \$10,000 wire into the bank account on January 10, 2020. The apartment manager told me that the apartment complex runs a background check on new applicants. When the manager says she told AZAD that they were not able to run a check on the first name "Md," he told her to check under the name "Mohammad" AZAD.

13. On February 28, 2020, I and other FBI agents executed search and arrest warrants at the apartment. The FBI made forced entry after the inhabitants of the apartment refused to answer the door. Once inside, we found three people in the apartment, all sleeping on air mattresses, who identified themselves as Himanshu Kumar, MD AZAD, and Sumit Singh. The identities were corroborated by Indian passports found in the apartment.

14. When the FBI entered the apartment, AZAD and Singh were located in one of the bedrooms containing two air mattresses. When FBI agents entered that bedroom, AZAD was rolling off an air mattress covered with a light blue sheet ("light blue bed") .

Agents found numerous items on and around the light blue bed, including a wallet, a cannister, and a piece of lined spiral notebook paper with handwriting on it.

15. Wallet: The wallet contained several pieces of identification in AZAD's name, including an international driver's license, and AZAD acknowledged the wallet was his. Also inside the wallet were several small individual headshot photos like the type used to obtain international driver's licenses such as the type Singh and Kumar used in the names of Aubert, Bernard, Pedro, and Carballo to pick up FedEx packages. The wallet also contained keys, possibly safety deposit keys, and a key fob.

16. Cannister: the cannister contained three fraudulent international driver's licenses in the names of "Victor Aubert," "Miguel Carballo," and "James Baptiste." The Victor Aubert license has Singh's picture on it, the Miguel Carballo has Kumar's picture on it, and, according to AZAD, the James Baptiste license picture is of MD Hasib. AZAD told agents that Hasib sometimes slept at the apartment but had been gone for a while. The cannister also contained marijuana and some unknown pills.


17. Handwritten piece of paper: agents also found a piece of lined notebook paper that appeared to have been ripped out of a spiral notebook. The paper had handwritten addresses on it. Agents have begun checking the addresses on the paper: the addresses checked thus far are of UPS locations in and around the Houston area.

18. Agents also found a backpack in the bedroom closet that contained a handwritten note with bank account information "Md Hashib" at Axis Bank. AZAD

said "Md Hashib" is his father and the note contains his father's bank account information.

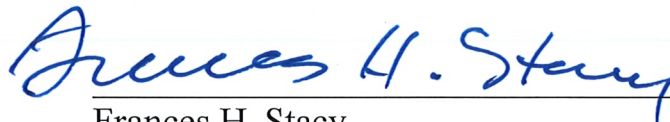
19. Based upon the information delineated above, I believe that probable cause exists for the issuance of a Criminal Complaint charging MD AZAD a/k/a MOHAMMAD AZAD a/k/a MOHAMMED AZAD, with violations of Title 18 USC 1349 (Conspiracy), 18 USC 1341 (Mail Fraud), and 18 USC 2314 (Interstate Transportation of Stolen Property).

Respectfully submitted,



Mary Beth Wright, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 2nd day of March, 2020, and I find probable cause.



Frances H. Stacy
United States Magistrate Judge